

Section Twelve

Chris Andreas - Re: Fwd: URGENT MATTER- KANANIAN CASE

Page 1

From: Ryan Poole
To: Al Brayton; Chris Andreas; Christina Skubic; Gil Purcell
Date: Thu, Mar 23, 2006 9:53 AM
Subject: Re: Fwd: URGENT MATTER- KANANIAN CASE

The WMAC default did refer to the GEN JOHN POPE (*p 17 of the BRIEF*), but we also included a PID summary that only listed HPNSY at the time (*p15 of the BRIEF*). We now know that the client only boarded POPE at HPNSY and no work was done on the ship at that time. Luckily, we also now know that the ship was built at FEDSHI, where we have Mr. Cerka on record as having distributed MANVLL products to workers working on the ships at the shipyard (*p32 of the AMD CLM FORM*).

>>> Chris Andreas 3/22/2006 8:57 PM >>>

Has anyone cross referenced what we submitted for the WMAC default in this case? I have to assume that the defense has gone and copied whatever is in the file at SFSC.

>>> Al Brayton 3/22/2006 7:22 PM >>>

this is OK by me

>>> Ryan Poole 3/22/2006 7:19:19 PM >>>

Attached is the updated MANVLL claim form for Kananian. I have included the depo excerpt of Peter Cerka, an apprentice pipefitter at FEDSHI (builder of the GEN JOHN POPE), in which he states that he distributed MANVLL products to all shipyard workers from a store room at the facility. I could not locate testimony of anyone installing the products directly on board the ship. The Cohen re-entrainment dec is also included. CCS has reviewed.

CEA- Please review and approve before I send to the trust. Thanks.

>>> Christina Skubic 3/22/2006 4:01:56 PM >>>

MANVILLE: An amended claim can be filed w/ the new information- we will have to rely on exposure on the General John Pope although CEA says:

"He shipped out on a troop transport ship (JOHN POPE) from HPNSY in March of 1945 to the Philippines, spending no time in the shipyard and certainly doing no work on the ship. He was exposed to insulation on the ship by virtue of sleeping below insulated pipes that rattled. The voyage to the Philippines was 10 days in duration."

Our best shot is to use the Cohen reentrainment declaration but there is no guarantee that it will work. I want to confirm that you want to proceed w/ the amended claim or consider withdrawing.

BETHST: I filed a form 10 and the debtor filed an omnibus objection that I responded to. In response I submitted the face page of the complaint, his verified SACROGS, the MPID report w/ ID of the General John Pope at Beth Steel Shipbuilding and HPNSY and the SPH report. The omnibus objection was continued and the liquidating trustee settled. We are to get the funds sometime in April. Is there anything we need to fix here? If so, how on earth would we go about it? Jack Kananian was not questioned about the response to the objection at his depo, only the Form 10.

>>> Al Brayton 3/22/2006 1:51 PM >>>

On Manville, simply re-do the old claim form with the new answers and submit with a cover letter. Do not call them. Do not do under new TDP. Type "Amended" on the top of the old claim form.

>>> Christina Skubic 3/22/2006 1:08 PM >>>

Re: MANVILLE: We will do the amended Manville form today once we identify the inaccuracies. The new claim form is completely different and governed by an entirely new TDP. We can re-do the old claim form with the new answers and submit w/ a cover letter or call them and find out how they want to run a new CDT and get us a new offer based on the new info. The payment percentage is also different than in 2000 (then 10%; now 5%).

Chris Andreas - Re: Fwd: URGENT MATTER- KANANIAN CASE

Page 2

Re: BETHST: CEA- please confirm what exactly they are offering as far as a BETHST "claim form". My records show that we only submitted a Form 10 (attached) and that after the liquidating trust pays out (which they haven't done yet) he will only get approx \$80.00. I don't see any inaccuracies on the BETHST Form 10. Let me know if they have additional documentation.

>>> Al Brayton 3/22/2006 12:51 PM >>>

I want to do an amended claim form for JM and BETHST that is painstakingly accurate, send it to the Trusts, and tell them that if it changes their analysis or award we will remit any excess payment. They say I signed JM and you signed BETHST.

Jim Early is going to do the same thing. Can you have someone email him the deposition transcript in this case this afternoon?

>>> Christina Skubic 3/22/2006 12:45 PM >>>

Ryan and I are reviewing the JM claim form now for inaccuracies line by line. The claim form was filed in April of 2000. The staff person that filed this claim is no longer with us. All BK staff have been extensively briefed on drafting job descriptions since the defendants began obtaining these claim forms last year. No one is making descriptions up and the "generic" language that was incorporated into claim forms in the past is no longer used.

We will get you the details of the Manville claim shortly.

>>> Al Brayton 3/22/2006 11:37 AM >>>

These are serious allegations.

Please let me know, if you can, how the inaccurate information got into the claim forms that we prepared, and where it came from.

Immediately brief all personnel preparing claim forms or deficiency responses that they are not to "make up" information to make a claim qualify. If we can't qualify by arguing on the legitimate inferences (including reentrainment and exposure from pipes in berthing spaces while being transported on a ship) we won't file a claim. I know it was probably someone just trying to help, but we don't need this kind of help, and we will not tolerate it.

>>> Chris Andreas 3/22/2006 9:52 AM >>>

Al,

I need to speak with you asap about Kananian.

Some weeks back, I advised that the bankruptcy claim forms submitted by Early Ludwick & Sweeney, as well as the JM and BETH claim forms submitted by BP were coming into evidence in this case as adoptive admissions. I sent a lengthy e-mail on the subject attaching the claim forms at issue.

I advised at that time that the ELS claim forms are rife with outright fabrications regarding the decedent Harry Kananian's exposure to asbestos. The JM form we submitted is not as bad, but also inaccurate, describing Mr. Kananian as a laborer and shipyard worker during certain periods of WWII, when in reality he was a US Army rifleman.

He shipped out on a troop transport ship (JOHN POPE) from HPNSY in March of 1945 to the Philippines, spending no time in the shipyard and certainly doing no work on the ship. He was exposed to insulation on the ship by virtue of sleeping below insulated pipes that rattled. The voyage to the Philippines was 10 days in duration.

While in the Philippines he was billeted for a couple weeks aboard an unnamed Liberty ship. Our rog responses indicate he did some welding work on the ship, although this is not borne out by any testimony from Harry Kananian.

In mid- 1946, Mr. Kananian was in Japan during the occupation and was stationed for a few months at the Yokohama port. He supervised Japanese dock workers unloading vessels, more in a clerical way than hands on, rarely being aboard a vessel. This comes from his testimony. He did not recall what was unloaded.

Mr. Kananian shipped back stateside aboard the ADMIRAL MAYO, another troop transport ship in mid-1946, and had similar insulation exposure to that described above on the POPE.

ELS, by way of example, in their UNR form claims that Mr. Kananian was unloading Unibestos in Yokohama. They claim he was involved as a teenager at a Cleveland plant with "tools of asbestos", when in reality he was involved in the manufacture and lathing of metal tools. The Celotex claim form is completely fabricated with exposures alleged to occur to insulation products at some of his places of employment after the war where he worked as a payroll accountant and clerk. It goes on and on.

The judge had suggested a month ago that he would consider not admitting the claim forms if BP, ELS and the clients returned all \$150,000 received from the trusts. I requested your input, but only heard back from GLP. I tended to agree with GLP that there was no guarantee the judge would do what he said and even if he did it created huge error to keep those claim forms out and deprive Lorillard of this evidence.

During Jack Kananian's deposition (son) in January of 2005, Lorillard attys shoved these claim forms at him and asked him if he thought they were "materially misleading and false", to which he said no, not to his knowledge. He did repeatedly point out that his Dad was never a shipyard worker, a laborer or many of the other outlandish descriptions in the claim forms. He also described a questionnaire that he and his father had filled out for ELS with back in 2000, which he surmised was the source of at least some of the information contained in the claim forms.

In arguing to keep these things out, I pointed out to the judge that they were neither executed, nor verified by either Harry Kananian or Jack Kananian. Plaintiffs never saw the claim forms before they were submitted. Most were not even executed by an attorney, although the JM claim form bears your signature. I also argued that they were inaccurate and misleading, as was evident from Harry Kananian's video deposition, which would at some point be published to the jury. I never characterized them as "false" or "fraudulent".

I obtained a copy of the ELS questionnaire, referenced by Jack at his depo, last week to see what was in it. It was prepared in Jack's handwriting in February of 2000. It is factually accurate and in accord with all of the sworn testimony in this case. It does not describe his father's past history in any way, shape or form as that set forth in most of the claim forms ELS ultimately submitted. It certainly has no product ID.

Bruce Carter and I filed this questionnaire in a motion under seal with Judge Hanna last Friday so that we could demonstrate to the Court that it would be highly misleading to let in the ELS forms. I was willing to deal with and accept the JM and BETH forms we prepared at trial. Again, I never claimed that the ELS forms were "false" or "fraudulent", only inaccurate in certain respects. The questionnaire was not provided with the copy of the motion served on Lorillard. At the very least, I wanted to alert the Court and counsel that we would seek to use this form at trial to counter and defuse the obvious tactic of Lorillard to call Jack, Harry and our firm liars.

Chris Andreas - Re: Fwd: URGENT MATTER- KANANIAN CASE

Page 4

Judge Hanna was concerned enough to have Jack at court today. He requested that Jack confer with Bruce Carter and I to determine if he wanted to independently consult with another attorney before proceeding with trial. His concern was that Jack may be facing "ramifications in the future" in proceeding and might want to consult with appropriate counsel. In essence, what he was getting at was that if the trial proceeds and Jack's testimony from deposition and/or live testimony is introduced, Jack may be subjecting himself to future potential criminal or other liability and should be appropriately advised in advance.

Jack's options at this point, if we take Lorillard's threats seriously, would be to drop the suit, or go forward, with the option of taking the Fifth with regard to the claim form information or testifying as he so chooses, understanding that this could come back to haunt him.

There is also the potential conflict between our firm and Jack if we all eventually end up embroiled in some sort of federal investigation and/or prosecution involving bankruptcy fraud.

We agreed to take the day off and start jury selection tomorrow so that Jack could consult with appropriate counsel this afternoon.

In that regard, we have a phone conference set for 2:30 EST with Ron Barliant of Chicago, someone you may be familiar with as he was formerly the bankruptcy judge on the 48 Insulation bankruptcy and who is now in private practice. Ironically, one of the ELS forms is a 48 Insulations submission. The discussion will revolve around the bankruptcy issues implicated in this case.

We are also trying to get a meeting set up for later today with a prominent criminal defense attorney here in Cleveland so that we can get him up to speed on all of this and have him counsel Jack directly.

Attached are the opposition papers filed by Lorillard today and some of the BK forms I sent you last month, although this time they are part of a separate pleading filed by Lorillard to apprise the court of the status of their effort to get confirmation that the forms were actually filed and received by the trusts.

I would dearly like to discuss all of this with you asap!

Chris

CC: Dave Donadio

Section Thirteen

Chris Andreas - Documents to serve

Page 1

From: "Bruce Carter" <BruceCarterEsq@cinci.rr.com>
To: <chris@braytonlaw.com>, <FJimmink@braytonlaw.com>
Date: Fri, Mar 24, 2006 9:15 AM
Subject: Documents to serve

I am attaching a Notice of Service for the ELS Questionnaire to fax to the defendant today. I am also attaching a notice of service of revised bankruptcy claim forms. Once we get the claim forms from ELS we should send them via fax to the defendant. We can send the revised Manville Form and the revised Beth Steel form (if it is being revised) to the defendants today. We need to push ELS to get the forms ASAP. I think they should be in the hands of the defendant by Tuesday AM at the latest.

Bruce

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Bruce Carter, Esq.
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Licensed in Ohio, West Virginia, Texas and Pennsylvania

Section Fourteen

Chris Andreas - Fwd: Re: Re: White, James Dec.

Page 1

From: Ryan Poole
To: Chris Andreas; Christina Skubic
Date: Fri, Mar 24, 2006 11:32 AM
Subject: Fwd: Re: Re: White, James Dec.

FYI on ELS status of their amended claim forms for Kananian.

>>> "mmacalpine" <mmacalpine@elslaw.com> 3/24/2006 11:03 AM >>>
Our bankruptcy dept. is currently working on them.

-Maya

----- Original Message -----

From: "Ryan Poole" <RPoole@braytonlaw.com>
To: <mmacalpine@elslaw.com>
Sent: Friday, March 24, 2006 1:30 PM
Subject: Fwd: Re: White, James Dec.

See attached. Also, are you currently doing amended claim forms in the Kananian case?

Section Fifteen

Chris Andreas - Fwd: Documents to serve

Page 1

From: Felicia Jimmink
To: brucecarteresq@msn.com; Chris Andreas
Date: Fri, Mar 24, 2006 2:52 PM
Subject: Fwd: Documents to serve

I'm not sure I did this right, please advise.

1. I only faxed over the pdf document 'Notice of Service of Early Ludwick & Sweeney Client Questionnaire
2. I think I got confused and thought I was to wait for the ELS forms being faxing the other document 'Notice of Service Of Revised Bankruptcy Claim Forms'

Should I fax out #2 right now or wait for the ELS Revised BK forms to be done?

Attached is the POS for #1. Please advise ASAP and sorry if I goofed.

Thank you.

>>> "Bruce Carter" <BruceCarterEsq@cinci.rr.com> 3/24/2006 9:14 AM >>>
I am attaching a Notice of Service for the ELS Questionnaire to fax to the defendant today. I am also attaching a notice of service of revised bankruptcy claim forms. Once we get the claim forms from ELS we should send them via fax to the defendant. We can send the revised Manville Form and the revised Beth Steel form (if it is being revised) to the defendants today. We need to push ELS to get the forms ASAP. I think they should be in the hands of the defendant by Tuesday AM at the latest.

Bruce

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Section Sixteen

Chris Andreas - RE: Fwd: Documents to serve

Page 1

From: Felicia Jimmink
To: brucecarteresq@cinci.rr.com; Chris Andreas
Date: Fri, Mar 24, 2006 5:53 PM
Subject: RE: Fwd: Documents to serve

OK, this got served via fax this afternoon, the fax cover sheet and fax proof is attached.

>>> "Bruce Carter" <brucecarteresq@msn.com> 3/24/2006 3:09 PM >>>
Fax out the Baryton Purcell revisions. We can do another notice when we get the ELS revisions.

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Licensed in Ohio, West Virginia, Texas and Pennsylvania

---Original Message Follows---

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
To: "Chris Andreas" <CAndreas@braytonlaw.com>, <brucecarteresq@msn.com>
Subject: Fwd: Documents to serve
Date: Fri, 24 Mar 2006 14:52:34 -0800

** High Priority **

I'm not sure I did this right, please advise.

1. I only faxed over the pdf document 'Notice of Service of Early Ludwick & Sweeney Client Questionnaire

2. I think I got confused and thought I was to wait for the ELS forms being faxing the other document 'Notice of Service Of Revised Bankruptcy Claim Forms'

Should I fax out #2 right now or wait for the ELS Revised BK forms to be done?

Attached is the POS for #1. Please advise ASAP and sorry if I goofed.

Thank you.

>>> "Bruce Carter" <BruceCarterEsq@cinci.rr.com> 3/24/2006 9:14 AM >>>
I am attaching a Notice of Service for the ELS Questionnaire to fax to the

Chris Andreas - RE: Fwd: Documents to serve

Page 2

defendant today. I am also attaching a notice of service of revised bankruptcy claim forms. Once we get the claim forms from ELS we should send them via fax to the defendant. We can send the revised Manville Form and the revised Beth Steel form (if it is being revised) to the defendants today. We need to push ELS to get the forms ASAP. I think they should be in the hands of the defendant by Tuesday AM at the latest.

Bruce

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<< Part.001 >>

<< 200603-24NoticeofserviceofRevisedclaimforms.wpd >>

<< 200603-23NoticeofserviceofELSquestionnaire.pdf >>

<< POS-Ntc-Srv-ELSQ.pdf >>

Section Seventeen

Chris Andreas - Conference call re Kananian

Page 1

From: "Chris Andreas" <CAndreas@braytonlaw.com>
To: <jfe@elslaw.com>
Date: Mon, Mar 27, 2006 2:06 PM
Subject: Conference call re Kananian

Jim,

I thought it would be a good idea to get in touch with you on this case after the latest chapter today.

After we served the defense with a copy of our amended JM claim form on Friday, they came in today crying bloody murder. Tried to get me disqualified from the case. charged with fraud on the court and/or to get the case dismissed.

Bruce and I were able to dodge that bullet, however, the judge is concerned enough about the evolving landscape of bankruptcy claim forms in this case, understanding that your firm will be filing some amended forms as well, that he is not comfortable starting the trial at this point. He is continuing it likely to June or July.

I am getting a copy of the transcript from this afternoon in which the judge indicated about 10 areas or so that he wants to get clarified regarding the bankruptcy trust issue. This will involve some limited discovery with our firm and yours regarding the preparation of the original forms and whether as a matter of law these forms were submitted to a "court" or not. Our research and discussions with Ron Barliant (former bankruptcy judge on 48 Insulations) indicates that the claim forms are not submitted to a "court" in the traditional sense and that the trusts are not considered to be a part of the bankruptcy court itself.

We have a further conference tomorrow morning in court to set a new trial date and refine the discovery plan to address the issues outlined by Judge Hanna.

Please let me know if you can be reached tonight and, if so, a time and place you can be reached. I can try to conference in Al and Gil as well.

Thanks,

Chris Andreas

CC: "Al Brayton" <ABrayton@braytonlaw.com>, "Gil Purcell" <GPurcell@braytonlaw.com>, <BruceCarterEsq@cincinnati.com>

Section Eighteen

Chris Andreas - Fwd: Re: Harry Kananian - Revised Bankruptcy Claims

Page 1

From: Felicia Jimmink
To: Chris Andreas
Date: Mon, Mar 27, 2006 6:53 AM
Subject: Fwd: Re: Harry Kananian - Revised Bankruptcy Claims

Here's a quick update, I hope we receive these by tomorrow morning.

>>> "mmacalpine" <mmacalpine@elslaw.com> 3/27/2006 6:25 AM >>>
The claims are being worked on today. I will forward them to you as soon as they are finished and scanned.

-Maya

----- Original Message -----

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
To: "Jim Early (E-mail)" <jfe@elslaw.com>; "mmacalpine" <mmacalpine@elslaw.com>
Sent: Friday, March 24, 2006 6:43 PM
Subject: Harry Kananian - Revised Bankruptcy Claims

**** High Priority ****

Dear Attorney Early and Maya:

As you may know, I am the paralegal working with attorneys Chris Andreas and Bruce Carter on the Harry Kananian trial in Ohio. Today, the attorneys advised me that your office is preparing revised bankruptcy claim forms and you will be forwarding them to us in pdf format next week.

Due to the trial issues in this case, we need to get your revised bankruptcy claims to the defendants by Tuesday morning 3/28/06. Can you please be sure to forward these to us by then? If you anticipate or encounter any problems meeting this deadline, please alert us as soon as possible.

Please forward the revised bankruptcy forms in pdf format to the following email addresses:

Candreas@braytonlaw.com
brucecarteresq@msn.com
felicia@braytonlaw.com
Cskubic@braytonlaw.com
Rpooles@braytonlaw.com

We greatly appreciate your assistance in this matter. Thank you.

Felicia M. Jimmink, Paralegal
Brayton & Purcell LLP
felicia@braytonlaw.com

CC: Al Brayton; Christina Skubic; Ryan Poole

Section Nineteen

Section Nineteen(A)

Chris Andreas - Fwd: Re: Harry Kananian

Page 1

From: Ryan Poole
To: Chris Andreas
Date: Mon, Mar 27, 2006 12:39 PM
Subject: Fwd: Re: Harry Kananian

Here are the ELS revised claim forms.

>>> "mmacalpine" <mmacalpine@elslaw.com> 3/27/2006 12:30 PM >>>
Hi Ryan,

Attached are the revised (& not yet submitted) CX, EP, 48, AM, UNR & HKP claim forms for the Harry Kananian matter. We'll submit them once you review them and give us the go ahead. Thanks.

-Maya

----- Original Message -----

From: "Ryan Poole" <RPoole@braytonlaw.com>
To: <mmacalpine@elslaw.com>
Sent: Monday, March 27, 2006 12:02 PM
Subject: Harry Kananian

** High Priority **

** Reply Requested by 3/27/2006 (Monday) **

Maya, per Chris Andreas, the attorney trying Mr. Kananian's case in Ohio, we would like to see the amended claim forms before you submit them to the trust(s). Is this possible? I guess he is already getting some guff from defense counsel over the amended JM claim that we filed last week, which I have attached hereto. Again, we would really appreciate it if you could let us see them before you resubmit. Thanks.

J. Ryan Poole (JRP)
Supervisor
Bankruptcy Department
Brayton Purcell, LLP
(415) 899-1011 x406
rpoole@braytonlaw.com
www.braytonlaw.com

CC: Christina Skubic; Felicia Jimmink

Section Nineteen(B)

Chris Andreas - Re: Can you let the Celotex trust

Page 1

From: Christina Skubic
To: Chris Andreas
Date: Mon, Mar 27, 2006 2:31 PM
Subject: Re: Can you let the Celotex trust

I can't seem to leave a message for Ms. Hirsch. She is the one I spoke to last week on this. (they close at 4:30 EST and don't have a directory to get to individual voicemails)
I will send a confirming letter if you think that will be beneficial and/or we will call tomorrow. Let me know.

>>> Chris Andreas 3/27/2006 2:19:11 PM >>>

know that BP is not objecting to them turning over the docs to Shook Hardy? Apparently they are still not turning this stuff over. I don't know if they are planning to independently resist or not, but I told the Court and counsel that we are not putting up any roadblocks.

CC: Felicia Jimmink; Jacqueline Loveless; Ryan Poole

Section Nineteen(C)

Chris Andreas - Re: Can you let the Celotex trust

Page 1

From: Jacqueline Loveless
To: Chris Andreas; Christina Skubic
Date: Wed, Mar 29, 2006 8:03 AM
Subject: Re: Can you let the Celotex trust

I spoke with Amy Hirsch and clarified our position. Trust did send out letter objecting, however, as you know, unless we formally object, Trust produces documents. The documents will be produced 3/30. Please let me know if either of you need anything further re: this matter.

>>> Christina Skubic 3/27/2006 3:15 PM >>>

Can you please call and clarify? I talked to Amy Hirsch on Wednesday and explained that although we are not objecting, that the trust could certainly send out the usual letter stating that the trust claim procedures specifically state that claim submissions are confidential. I do think that letter went out. Just make sure she understands that if the trust wants to object they can but we will not be formally objecting. CEA has advised the court and counsel that we aren't objecting. Thanks

>>> Chris Andreas 3/27/2006 3:04:40 PM >>>

Call tomorrow.

>>> Christina Skubic 3/27 2:31 pm >>>

I can't seem to leave a message for Ms. Hirsch. She is the one I spoke to last week on this. (they close at 4:30 EST and don't have a directory to get to individual voicemails)
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Section Nineteen(D)

Chris Andreas - Fwd: Re: Kananian information

Page 1

From: Christina Skubic
To: Chris Andreas
Date: Fri, Mar 31, 2006 4:07 PM
Subject: Fwd: Re: Kananian information

I will send EVERYTHING to with regard to BETHST to JRP to add to our folder, but most was re: the payment issue. You will get it and then can decide. Most of the BETHST was correspondence about all the claims, including Kananian, so there will quite a bit of redacting out other client's settlement info...

>>> Chris Andreas 3/31/2006 2:37:44 PM >>>
Thanks.

So this is all we have in our file re correspondence with either trust....correct? We are going to be required to produce all such communications with BETH and JM, so I want to be absolutely sure.

Clara no longer works for us....do you know where she is now? Would she be disgruntled in any way? I assume she will have no independent recollection of preparing the original JM form and that we have no documentation in any file in the office which would bear on her preparation of the form....true? Lorillard will most assuredly want to take her depo and will be requesting contact info to serve her with a subpoena.

Just want to be absolutely clear on all of this.. ...

By the way, can Lorillard take your depo while you are gestating?

>>> Christina Skubic 3/31/2006 2:09 PM >>>
Attached are the JM and BETHST claims and all correspondence w/ the trust (in BETHST case it was the court and trustee).

I filed the BETHST proof of claim form and did the response when the Trustee objected. Note: it was never resolved as the Trustee settled the claim. Do you know how much we are talking about here? Kananian is set to receive \$84.90 from the BETHST liquidating trust.... I also included my correspondence w/ the trustee and his counsel because there was confusion regarding payment of the claim. They wanted W-9 forms for all our clients and to send the checks directly to them. I explained that W-9's were not necessary and requested that the checks be sent to BP as Trustees. This is still being sorted out as you can see from my e-mails. Maybe not relevant to your cause, but the correspondence, although not specifically naming Kananian is about payment of the Kananian claim.

Clara Vipond prepared the JM claim and ARB signed it. JRP prepared the amended claim form and I signed it.

>>> Ryan Poole 3/31/2006 12:57 PM >>>
attached....Clara Vipond filed the claim. I can only speculate that she used the documents attached to the packet I've included.

>>> Christina Skubic 3/31/2006 12:03:23 PM >>>
I have the bethst stuff. There was an omnibus objection that I responded to, so there are pleadings. They are attached. I didn't mean compliant, but claim. Please get the original JM claim, the amended, who prepared them and what they relied on together and we can send to CEA/FMJ

>>> Ryan Poole 3/31/2006 10:40 AM >>>
The only correspondence on MANVLL that I'm aware of is the filing of the claim and our subsequent amendment. We just filed a form10 in BETHST as far as I know. I have no idea who filed the complaint. That's a FMJ question I would say.

Chris Andreas - Fwd: Re: Kananian information

Page 2

>>> Christina Skubic 3/27/2006 7:21:50 PM >>>

CEA has requested that we gather more info on the JM and BETHST claims now at issue in the case.
He requested:

the claim (For JM both the original and amended)

All correspondence between us and the trust re: the claim

All correspondence between us and the client re: the claims (if any)

name of the person who prepared the complaint and what that person relied on.

If you can start to gather this info we can go over it on Wed. We need to get it to Chris by the end of the week. Thanks

CC: Felicia Jimmink; Ryan Poole

Section Nineteen(E)

Chris Andreas - Fwd: Re: Kananian information

From: Christina Skubic
To: Chris Andreas
Date: Fri, Mar 31, 2006 4:44 PM
Subject: Fwd: Re: Kananian information

Didn't respond re: the possibility of me being deposed...

I am willing to be deposed, but

1) I won't be deposed if it means getting kicked off disability (DEZ, can you please advise?)
2) If I can be deposed the date will depend on when this little guy arrives. My due date is 5/5/06. I can't give a depo at least the two weeks after the birth (couldn't walk last time...) and Miss Sophia was early so we can plan on the 5th but there is no telling when... They can propose dates, but we are going to have to play this ear.

>>> Chris Andreas 3/31/2006 2:37:44 PM >>>
Thanks.

So this is all we have in our file re correspondence with either trust....correct? We are going to be required to produce all such communications with BETH and JM, so I want to be absolutely sure.

Clara no longer works for us....do you know where she is now? Would she be disgruntled in any way? I assume she will have no independent recollection of preparing the original JM form and that we have no documentation in any file in the office which would bear on her preparation of the form....true? Lorillard will most assuredly want to take her depo and will be requesting contact info to serve her with a subpoena.

Just want to be absolutely clear on all of this.....

By the way, can Lorillard take your depo while you are gestating?

>>> Christina Skubic 3/31/2006 2:09 PM >>>
Attached are the JM and BETHST claims and all correspondence w/ the trust (in BETHST case it was the court and trustee).

I filed the BETHST proof of claim form and did the response when the Trustee objected. Note: it was never resolved as the Trustee settled the claim. Do you know how much we are talking about here? Kananian is set to receive \$84.90 from the BETHST liquidating trust.... I also included my correspondence w/ the trustee and his counsel because there was confusion regarding payment of the claim. They wanted W-9 forms for all our clients and to send the checks directly to them. I explained that W-9's were not necessary and requested that the checks be sent to BP as Trustees. This is still being sorted out as you can see from my e-mails. Maybe not relevant to your cause, but the correspondence, although not specifically naming Kananian is about payment of the Kananian claim.

Clara Vipond prepared the JM claim and ARB signed it. JRP prepared the amended claim form and I signed it.

>>> Ryan Poole 3/31/2006 12:57 PM >>>
attached....Clara Vipond filed the claim. I can only speculate that she used the documents attached to the packet I've included.

>>> Christina Skubic 3/31/2006 12:03:23 PM >>>
I have the bethst stuff. There was an omnibus objection that I responded to, so there are pleadings. They are attached. I didn't mean compliant, but claim. Please get the original JM claim, the amended, who prepared them and what they relied on together and we can send to CEA/FMJ

Chris Andreas - Fwd: Re: Kananian information

Page 2

>>> Ryan Poole 3/31/2006 10:40 AM >>>

The only correspondence on MANVLL that I'm aware of is the filing of the claim and our subsequent amendment. We just filed a form 10 in BETHST as far as I know. I have no idea who filed the complaint. That's a FMJ question I would say.

>>> Christina Skubic 3/27/2006 7:21:50 PM >>>

CEA has requested that we gather more info on the JM and BETHST claims now at issue in the case. He requested:

the claim (For JM both the original and amended)

All correspondence between us and the trust re: the claim

All correspondence between us and the client re: the claims (if any)

name of the person who prepared the complaint and what that person relied on.

If you can start to gather the info we can go over it on Wed. We need to get it to Chris by the end of the week. Thanks

CC: Daniela Zazzeron

Section Nineteen(F)

From: Chris Andreas
To: Felicia Jimmink; Ryan Poole
Date: 4/3/2006 12:26:22 PM
Subject: Fwd: Re: Harry Kananian

Yes....Both Bruce and I communicated our suggestions to Jim Early on Friday and he was going to send them out.

We need to get copies of what finally went out the door. I can request from Jim.

>>> Felicia Jimmink 4/3/2006 12:21 PM >>>

Was ELS given the go ahead to submit these amended claim forms?

>>> Ryan Poole 3/27/2006 12:39 PM >>>

Here are the ELS revised claim forms.

>>> "mmacalpine" <mmacalpine@elslaw.com> 3/27/2006 12:30 PM >>>

Hi Ryan,

Attached are the revised (& not yet submitted) CX, EP, 48, AM, UNR & HKP claim forms for the Harry Kananian matter. We'll submit them once you review them and give us the go ahead. Thanks.

-Maya

----- Original Message -----


From: "Ryan Poole" <RPoole@braytonlaw.com>
To: <mmacalpine@elslaw.com>
Sent: Monday, March 27, 2006 12:02 PM
Subject: Harry Kananian

** High Priority **



** Reply Requested by 3/27/2006 (Monday) **

Maya, per Chris Andreas, the attorney trying Mr. Kananian's case in Ohio, we would like to see the amended claim forms before you submit them to the trust(s). Is this possible? I guess he is already getting some guff from defense counsel over the amended JM claim that we filed last week, which I have attached hereto. Again, we would really appreciate it if you could let us see them before you resubmit. Thanks.

J. Ryan Poole (JRP)
Supervisor
Bankruptcy Department



Brayton Purcell, LLP
(415) 899-1011 x406
rpoole@braytonlaw.com
www.braytonlaw.com



Section Twenty

Chris Andreas - Re: Fwd: POC 525520 Harry Kananian

Page 1

From: Christina Skubic
To: Chris Andreas
Date: Wed, Mar 29, 2006 8:29 PM
Subject: Re: Fwd: POC 525520 Harry Kananian

Talked w/ AI briefly about this issue.

The tentative proposal is to send a letter to the Trust stating: We identified a clerical error in the claim form when reviewing the claim in response to subpoena. The amended claim form submitted on 3/22/06 was submitted so the Trust has the correct data with regard to this claimant.

Depending on how you think your OH judge would react to this, let me know if you want us to send a similarly drafted letter or discuss further. We will hold off until we hear from you.

>>> AI Brayton 3/29/2006 5:40 PM >>>
It will be back around 7

>>> Chris Andreas 3/29 5:34 pm >>>
We need AI to weigh in on this one.

>>> Christina Skubic 3/29/2006 5:32:47 PM >>>
We can send a quick note to Ms. Jones and let her know we were correcting some clerical errors contained in the original claim, but she will inevitably ask what we want them to do with it. I need a response without looking like we are trying to play games here...

>>> Chris Andreas 3/29/2006 3:54:00 PM >>>
I think we need to make it clear that we were simply correcting some clerical errors. There is going to be some discovery done in Kananian at this point that may involve the JM trust. I don't want it to look like we simply sent this thing in and never clarified why we were doing it. May look bad to my judge in OH.

AI?

>>> Christina Skubic 3/29/2006 9:50:51 AM >>>
FYI. Please advise if we need to respond to the trust

>>> Ryan Poole 3/29/2006 9:39 AM >>>
fyi... I will not respond, since she doesn't require it.

>>> Debra Jones <DJones@claimsres.com> 3/29/2006 7:23 AM >>>

Dear Mr. Poole:

We received a letter from Christina Skubic of your office dated 3/22/06 providing an Amended Proof of Claim form for this claimant, Harry Kananian, and a depo report. Since your firm is an e-filer, I am confused why we received this. Also, this is a settled meso claim, paid at 10% back in August 2000. Please let us know if you require anything further.

Thanks, Debra

Debra Baker Jones
Customer Administrator

Chris Andreas - Re: Fwd: POC 525520 Harry Kananian

Page 2

Claims Resolution Management Corporation
(703) 205-0820
(800) 536-2722, Ext. 820
(703) 205-6249 FAX

CC: Al Brayton; Felicia Jimmink; Gil Purcell; Jacqueline Loveless; Ryan Poole

Section Twenty-one

Chris Andreas - Re: Fwd: POC 525520 Harry Kananian

Page 1

From: Christina Skubic
To: CAndreas@braytonlaw.com
Date: Thu, Mar 30, 2006 5:32 PM
Subject: Re: Fwd: POC 525520 Harry Kananian

nice timing-- I'm on leave starting Monday.
the face page of the JM claim form says who prepared it. I can't remember the name, but I know its on there...she isn't here anymore.

>>> Chris Andreas 03/30/06 5:12 PM >>>
We are going to have to track down who completed the original JM form in our office for Kananian.

Is that possible? Would that person still be employed here?

Lorillard is going to get some limited discovery on the issue. They are going to want to depose whoever filled it out to try to show that the box checking was intentional (i.e. to ramp up the payment from the trust) vs. inadvertant mistake.

If we cannot track who did it, then they will want to depose the head of our BK department. That is you, right? They will want your depo anyway given that you prepared the BETH form and were responsible for the amended form being sent.

Al is going to have to submit to a depo as he signed off on both of the JM form(s) in this case.

Mark Abelson is going to have to defend the depositions.

Bruce Carter and I are preparing a motion for protective order to keep all of this discovery limited in scope and time and to keep it from being disseminated in this case.

Finally, do we have any former BK department people that you would describe as "disgruntled"? Lorillard is going to be looking for any such person in an effort to paint our procedures as "fraudulent" or otherwise suspect.

>>> Christina Skubic 3/29/2006 8:29 PM >>>
Talked w/ Al briefly about this issue.

The tentative proposal is to send a letter to the Trust stating: We identified a clerical error in the claim form when reviewing the claim in response to subpoena. The amended claim form submitted on 3/22/06 was submitted so the Trust has the correct data with regard to this claimant.

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Chris Andreas - Re: Fwd: POC 525520 Harry Kananian

Page 2

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Customer Administrator
Claims Resolution Management Corporation
(703) 205-0820
(800) 536-2722, Ext. 820
(703) 205-6249 FAX

CC: ABrayton@braytonlaw.com

Section Twenty-two

From: Christina Skubic
To: Kaishea Kegley
Date: 3/30/2006 1:20:02 PM
Subject: Re: Fwd: POC 525520 Harry Kananian

Please draft a letter to go via fax and us mail to
Debra Baker Jones
Customer Administrator
Claims Resolution Management Corporation
Manville Personal Injury Trust
3110 Fairview Park Dr. #200
Falls Church, VA 22042
(703) 205-6249 FAX

Re: Harry Kananian (POC # 525520)
Amended Claim Manville Claim Form

the body of the letter is the language bolded below.

I will finalize and sign tomorrow. Thanks

>>> Chris Andreas 3/29/2006 9:23 PM >>>
That sounds fine.

>>> Christina Skubic 3/29/2006 8:29 PM >>>
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(703) 205-0820
(800) 536-2722, Ext. 820
(703) 205-6249 FAX

CC: Jacqueline Loveless; Ryan Poole

Section Twenty-three

From: Chris Andreas
To: Christina Skubic
Date: 3/29/2006 9:23:30 PM
Subject: Re: Fwd: POC 525520 Harry Kananian

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CC: Al Brayton; Felicia Jimmink; Gil Purcell; Jacqueline Loveless; Ryan Poole

Section Twenty-four

Chris Andreas - Fwd: Re: Kananian information

Page 1

From: Ryan Poole
To: Chris Andreas; Christina Skubic
Date: Fri, Mar 31, 2006 2:46 PM
Subject: Fwd: Re: Kananian information

Here is the email MANVLL sent after they received the amended claim packet.

>>> Chris Andreas 3/31/2006 2:37:44 PM >>>
Thanks.

So this is all we have in our file re correspondence with either trust.....correct? We are going to be required to produce all such communications with BETH and JM, so I want to be absolutely sure.

Clara no longer works for us....do you know where she is now? Would she be disgruntled in any way? I assume she will have no independent recollection of preparing the original JM form and that we have no documentation in any file in the office which would bear on her preparation of the form.....true? Lorillard will most assuredly want to take her depo and will be requesting contact info to serve her with a subpoena.

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the claim (For JM both the original and amended)
All correspondence between us and the trust re: the claim
All correspondence between us and the client re: the claims (if any)
name of the person who prepared the complaint and what that person relied on.

If you can start to gather the info we can go over it on Wed. We need to get it to Chris by the end of the week. Thanks

Section Twenty-five

From: Ryan Poole
To: Christina Skubic
Date: 3/31/2006 12:57 PM
Subject: Re: Kananian Information
Attachments: 24240 Kananian, Harry.MANVLL.AMD.CLM.FORM.BK.pdf; 24240 Kananian, Harry.MANVLL.525520.CLM.FORM.BK.pdf

CC: Jacqueline Loveless
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Section Twenty-six

Chris Andreas - Bill- Legal Consult (Kananian)

Page 1

From: Chris Andreas
To: jfe@elslaw.com
Date: Wed, Apr 5, 2006 10:31 AM
Subject: Bill- Legal Consult (Kananian)

Jim,

Attached please find a bill from criminal attorney Timothy J. Potts of Cleveland, OH, in the amount of \$350.00, to cover his fee for a consultation with Jack Kananian

Mr. Potts advised Jack he had nothing to worry about.

I am requesting that you remit payment of half this bill: \$175.00

Can you please confirm you will forward him a check in this amount? We are forwarding our half.

I would also like to receive copies of the final versions of the amended claim forms your office prepared and submitted as we are required to turn those over to Lorillard asap.

We should coordinate our response to the discovery that is forthcoming from Lorillard. I expect to start seeing it in the next several weeks. Depositions of folks from both our offices to follow.

Regards,

Chris

CC: Al Brayton; Brucecarteresq@cincinnati.com; Chris Meisenkothen; Felicia Jimmink

Early, Ludwick E-Mails

Kim Curnane

From: James F. Early <jfe@elslaw.com>
To: Kim Curnane <kcurnane@elslaw.com>
Cc: Ethan Early 2 <EEarly@email.msn.com>; Ethan Early <eearly@elslaw.com>
Sent: Saturday, February 26, 2000 10:32 AM
Subject: Fw: The Kananians

-----Original Message-----

From: Ethan Early <eearly@elslaw.com>
To: Kim Curnane <kcurnane@elslaw.com>; James F. Early <jfe@elslaw.com>
Date: Friday, February 25, 2000 12:48 PM
Subject: The Kananians

I met Mr. Harry Kananian, his wife Mrs. Ann Kananian, their daughter, Karen Kananian, and son, Jack on February 24, 2000 in Broadview Heights, Ohio.

Mr. Kananian is currently undergoing radiation therapy and is in pretty good spirits. Jack Kananian has taken the lead with respect to pursuing the litigation, and he is very helpful. They have filled out the client questionnaire in a very detailed manner.

Mr. Kananian was diagnosed with mesothelioma by various doctors. He has had a lung biopsy confirming the diagnosis. The client outline lists the doctors' names and hospitals.

Mr. Kananian has some possible avenues of exposure. They are as follows:

In 1944, Mr. Kananian joined the army as a PFC. He was stationed in Fort Ord, California for a few weeks. After which, he was at the San Francisco naval yard, where he was billeted on a boat, the General John Pope, between 3/45 and 4/45. He was below deck, but does not remember the boiler room or people specifically working around him, although the naval yard was "busy". Later in 1945, Mr. K was in the Philippines aboard a Liberty Ship for 2 weeks in 9/45. When aboard the Liberty Ship, Mr. K remembers welding everything down. Then he was drydocked in Yokohama, Japan for three months, then he was aboard the Admiral Mayo for 2-3 weeks in 1946. Mr. K was discharged in 1946.

In 1948, Mr. K started work at American Fork & Hoe, now called True Temper, in Cleveland, Ohio. He started off in the nailroom and advanced to the tax department. Mr. K left in 1950.

Between 1950-51, Mr. K worked for the Parker Appliance Company, now Parker Hannifin in Cleveland. Mr. K performed inventory work.

In 1951 Mr. K began working for Angel Nail and Chaplet. He worked there from 1951-1982. Mr. K performed payroll duties and conducted inventory every year. He was often within the factory itself, where it was dusty and dirty. In 1982 Mr. K began working for A.W. Fenton, undertaking similar responsibilities.

In 1954, the Kananians placed an addition on their house at 4810 East 86th Street in Garfield, Ohio. Mr. K remembers breaking through insulation with his foot and being exposed to a white powdery substance, and it got all over his clothes. In 1958 houses were being built all around the Kananian house, and building materials were left outside next door, across the street, etc. In 1966, Mr. Kananian made the basement into a recreation room. Mr. K and his brother-in-law (Frank Gudin dec. 1991) added electricity, wound pipes with asbestos, floored with 12" x 12" vinyl asbestos tiles. Mr. K remembers plaster board, heat rock, and joint compound. Georgia-Pacific sounded familiar. Supplies were bought from 84 Lumber in Brookpark, Ohio and Forrest City Enterprises in either Brooklyn or Cleveland, Ohio.

In 1980, there was a fire in the basement and contractors came in and ripped out everything, creating dust. Pictures were taken (I am not sure how helpful they are), which I have and will forward to New Haven.

I will Fed Ex all materials to New Haven, and could you please copy the signed materials and send them to Jack Kananian.

Ethan

mmacalpine

From: "Kim Curnane" <kcurnane@elslaw.com>
"Maya MacAlpine" <mmacalpine@elslaw.com>
"Eric Mudry" <EricM@iimsnet.com>
Sent: Friday, March 03, 2006 4:00 PM
Subject: Fw: Jack Kananian (Harry Kananian, deceased)

--- Original Message ---

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
To: <kcurnane@elslaw.com>, <toberempt@elslaw.com>
Sent: Friday, March 03, 2006 1:45 PM
Subject: Jack Kananian (Harry Kananian, deceased)

> ** High Priority **

> Dear Kim and Theresa:

> This meso case was referred to us by your office. We are nearing trial
> and trial attorney, Christopher Andreas, asked that I follow up with
> your office on the total amount of settlements your office has obtained
> in this case.

> My understanding is that your office would be handling the bankruptcy
> claims for Amatex, Eagle Picher, Celotex/Carey, UNR, Forty-Eight, HK.
> er, Babcock & Wilcox, and Raytech.

> If you could please get back to me as soon as possible, we would very
> much appreciate it. Thank you and hope all is well.

> Felicia M. Jimmink, Paralegal
> Brayton & Purcell LLP
> felicia@braytonlaw.com

7/31/2006

mmacalpine

From: "mmacalpine" <mmacalpine@elslaw.com>
<FJimmink@braytonlaw.com>
Friday, March 03, 2006 5:58 PM
Subject: Fw: Jack Kananian (Harry Kananian, deceased)

Felicia,

Below are the settlement amounts that our office has received to date regarding the bankruptcies that we handled.

8 Insulations - \$468.00
Amatex - \$1,200.00
Celotex (1st Payment) - \$6,000.00
Celotex (2nd Payment) - \$5,300.00
Eagle-Picher - \$3,760.00
H.K. Porter - \$920.00
Inarco - \$1,739.00

I hope this helps!

Maya

Maya A. MacAlpine
Barry, Ludwick & Sweeney, LLC
Assistant
(777) 777-7799
(203) 785-1671
mmacalpine@elslaw.com

----- Original Message -----

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7/31/2006

> If you could please get back to me as soon as possible, we would very
> much appreciate it. Thank you and hope all is well.

> Felicia M. Jimmink, Paralegal

>  ayton <Purcell LLP

> felicia@braytonlaw.com

7/31/2006

1 450 1 01 2

mmacalpine

From: "mmacalpine" <mmacalpine@elslaw.com>
<FJimmink@braytonlaw.com>
Sent: Friday, March 03, 2006 5:58 PM
Subject: Fw: Jack Kananian (Harry Kananian, deceased)

Hi Felicia,

Below are the settlement amounts that our office has received to date regarding the bankruptcies that we handled.

8 Insulations - \$468.00
Amatex - \$1,200.00
Celotex (1st Payment) - \$6,000.00
Celotex (2nd Payment) - \$5,300.00
Eagle-Picher - \$3,760.00
H.K. Porter - \$920.00
Inarco - \$1,739.00

I hope this helps!

Maya

Maya A. MacAlpine
Early, Ludwick & Sweeney, LLC
Assistant
(777) 777-7799
(203) 785-1671
mmacalpine@elslaw.com

>----- Original Message -----

>From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
>To: <kcurnane@elslaw.com>, <toberempt@elslaw.com>
>Sent: Friday, March 03, 2006 1:45 PM
>Subject: Jack Kananian (Harry Kananian, deceased)

>

>

>> ** High Priority **

>>

>> Dear Kim and Theresa:

>>

>> This meso case was referred to us by your office. We are nearing trial
>> and trial attorney, Christopher Andreas, asked that I follow up with
>> your office on the total amount of settlements your office has obtained
>> in this case.

>>

>> My understanding is that your office would be handling the bankruptcy
>> claims for Amatex, Eagle Picher, Celotex/Carey, UNR, Forty-Eight, H.K.
>> Porter, Babcock & Wilcox, and Raytech.

>>


7/26/2006

Page 4 of 4

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>> much appreciate it. Thank you and hope all is well.

>>

>> Felicia M. Jimmink, Paralegal

>>  yton <Purcell LLP

>> felicia@braytonlaw.com

>

7/26/2006

mmacalpine

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
"mmacalpine" <mmacalpine@elslaw.com>
Monday, March 06, 2006 1:39 PM
Subject: Re: Fw: Jack Kananian (Harry Kananian, deceased)

Thank you!

>>> "mmacalpine" <mmacalpine@elslaw.com> 3/3/2006 1:58 PM >>>
Hi Felicia,

Below are the settlement amounts that our office has received to date
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Maya

M. MacAlpine
Lally, Ludwick & Sweeney, LLC
Legal Assistant
(203) 777-7799
(203) 785-1671
mmacalpine@elslaw.com

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7/31/2006

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>> much appreciate it. Thank you and hope all is well.

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>> Felicia M. Jimmink, Paralegal

>> Brayton & Purcell LLP

>> felicia@braytonlaw.com

>

7/31/2006

mmacalpine

From: "Theresa Oberempt" <toberempt@elslaw.com>
"Maya Macalpine" <mmacalpine@elslaw.com>
Sent: Tuesday, March 07, 2006 8:59 PM
Subject: Fw: Jack Kananian (Harry Kananian, deceased)

Hi Maya,

If Kim did not already pass this on to you, can you please get this info to Brayton's office. Thank you.

----- Original Message -----

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
To: <kcurmone@elslaw.com>, <toberempt@elslaw.com>
Sent: Friday, March 03, 2006 1:45 PM
Subject: Jack Kananian (Harry Kananian, deceased)

> ** High Priority **

> Dear Kim and Theresa:

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> much appreciate it. Thank you and hope all is well.

> Felicia M. Jimmink, Paralegal
> Brayton & Purcell LLP
> felicia@braytonlaw.com

7/31/2006

mmacalpine

From: "mmacalpine" <mmacalpine@elslaw.com>
"Theresa Oberempt" <toberempt@elslaw.com>
Sent: Wednesday, March 08, 2006 10:02 AM
Subject: Re: Jack Kananian (Harry Kananian, deceased)

he did. It's all set. How are you doing?

Maya

----- Original Message -----

From: "Theresa Oberempt" <toberempt@elslaw.com>
To: "Maya Macalpine" <mmacalpine@elslaw.com>
Sent: Tuesday, March 07, 2006 7:59 PM
Subject: Fw: Jack Kananian (Harry Kananian, deceased)

>Hi Maya,

>

>If Kim did not already pass this on to you, can you please get this info
>to Brayton's office. Thank you.

>

>T

>----- Original Message -----

>From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
><kcurmanc@elslaw.com>, <toberempt@elslaw.com>
>Sent: Friday, March 03, 2006 1:45 PM
>Subject: Jack Kananian (Harry Kananian, deceased)

>

>

>>** High Priority **

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>>

>>Felicia M. Jimmink, Paralegal .

>>Brayton <Purcell LLP
>>Felicia@braytonlaw.com

>>

>>

>

7/26/2006

7/26/2006

mmacalpine

From: "mmacalpine" <mmacalpine@elslaw.com>
 <FJimmink@braytonlaw.com>
Sent: Monday, March 13, 2006 4:00 PM
Subject: Re: Harry Kananian - Urgent Request for Files

Hi Felicia,

I'm trying to gather the information that you are looking for. I know the client questionnaire that you are referring to, but I want to be clear regarding our file for bankruptcy submissions. You say you already have the claim submissions, so are you looking for any product identification that we may have used, or just notes, or the entire file, including medical records but minus the bankruptcy claims? Sorry, I just want to make sure I don't email or Fedex the wrong information since you're pressed for time. Thanks.

Also, for the future, I'm the main contact for Brayton cases at our firm now, so anytime you need information you can just contact me directly.

Maya

----- Original Message -----

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
To: <kcurnane@elslaw.com>, <toberempt@elslaw.com>
Sent: Monday, March 13, 2006 12:40 PM
Subject: Harry Kananian - Urgent Request for Files

> ** High Priority **

> Kim and Theresa:

> We need to get the complete file you have for the Kananian case.
 > During Mr. Kananian's lifetime, clients filled out info form(s) sent to
 > them by your office, then your office took that info and prepared and
 > submitted some Bankruptcy forms. We already have copies of your
 > bankruptcy claims.
 >
 > Jack Kananian said that he and his father Harry filled out some sort of
 > info sheet for ELS and sent it in. We would like to see these forms if
 > you still have them, and a copy of your file regarding the Bankruptcy
 > claim submissions. We are starting trial on 3/22/06, and need this
 > information right away. Are you able to email/fax to me, or overnight?

> Please let me know, and thank you for your assistance in this matter.

> Felicia M. Jimmink, Paralegal
 > Brayton & Purcell LLP
 > felicia@braytonlaw.com

7/26/2006

7/26/2006

mmacalpine

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
"mmacalpine" <mmacalpine@elslaw.com>
Sent: Monday, March 13, 2006 4:05 PM
Subject: Re: Harry Kananian - Urgent Request for Files

* High Priority **

Thank you Maya:

We do want all your files, but specifically, we are looking for the information sheets sent by your firm to the clients to fill out. Thank you.

Felicia M. Jimmink, Paralegal
Brayton & Purcell LLP
felicia@braytonlaw.com

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> ** High Priority **

7/31/2006

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matter.

> Felicia M. Jimmink, Paralegal

> Brayton & Purcell LLP

> fjimmink@braytonlaw.com

7/31/2006

mmacalpine

From: "mmacalpine" <mmacalpine@elslaw.com>
"Felicia Jimmink" <FJimmink@braytonlaw.com>
Sent: Monday, March 13, 2006 4:26 PM
Subject: Re: Harry Kananian - Urgent Request for Files

am faxing over now the client questionnaire. I will work on copying the rest of the file and sending it FedEx to you.

Maya

----- Original Message -----

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
To: "mmacalpine" <mmacalpine@elslaw.com>
Sent: Monday, March 13, 2006 3:05 PM
Subject: Re: Harry Kananian - Urgent Request for Files

> ** High Priority **

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> information sheets sent by your firm to the clients to fill out. Thank
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> Brayton & Purcell LLP

> felicia@braytonlaw.com

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7/26/2006

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>-Maya
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> Sent: Monday, March 13, 2006 12:40 PM
> Subject: Harry Kananian - Urgent Request for Files

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>> ** High Priority **
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>> Please let me know, and thank you for your assistance in this
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>>
>> Felicia M. Jimmink, Paralegal
>> Brayton <Purcell LLP
>> felicia@braytonlaw.com
>>

7/26/2006

mmacalpine

m: "mmacalpine" <mmacalpine@elslaw.com>
 "Eric Mudry" <EricM@iimsnet.com>
 Sent: Monday, March 13, 2006 4:34 PM
 Subject: Fw: Harry Kananian - Urgent Request for Files

Eric,


know since they're the referring firm it's probably ok to send them everything, but I want to make sure. I've already faxed the client questionnaire, but in terms of the entire file, we have some original pictures, attorney's notes and of course correspondence etc. Is it ok to really make a copy of the entire file to send to them, minus the bankruptcy claims since they already have them. Thanks.

Maya

----- Original Message -----

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
 To: "mmacalpine" <mmacalpine@elslaw.com>
 Sent: Monday, March 13, 2006 3:05 PM
 Subject: Re: Harry Kananian - Urgent Request for Files

> ** High Priority **

>
nk you Maya:

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>
 > Felicia M. Jimmink, Paralegal
 > Brayton & Purcell LLP
 > felicia@braytonlaw.com


>>>> "mmacalpine" <mmacalpine@elslaw.com> 3/13/2006 12:00 PM >>>

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7/26/2006

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>-Maya

>Original Message -----

>From: "Felicia Jimmink" <Fjimmink@braytonlaw.com>

>To: <kcumane@elslaw.com>, <toberempt@elslaw.com>

>Sent: Monday, March 13, 2006 12:40 PM

>Subject: Harry Kananian - Urgent Request for Files

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>> ** High Priority **

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>> Felicia M. Jimmink, Paralegal

>> Brayton <> Purcell LLP

>> felicia@braytonlaw.com

>>

>

>

>

7/26/2006

mmacalpine

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
To: "mmacalpine" <mmacalpine@elslaw.com>
Sent: Tuesday, March 14, 2006 5:01 PM
Subject: Re: Harry Kananian - Urgent Request for Files

*High Priority**

Maya:

haven't received a file yet, did you FED EX yesterday to my attention for delivery today? Or are you sending today?

Please let me know. Thank you.

Felicia M. Jimmink, Paralegal
Brayton & Purcell LLP
felicia@braytonlaw.com

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7/31/2006

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 >> felicia@braytonlaw.com

7/31/2006

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mmacalpine

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
"mmacalpine" <mmacalpine@elslaw.com>
Sent: Tuesday, March 14, 2006 5:14 PM
Subject: Re: Harry Kananian - Urgent Request for Files

Thank you Maya, I will hunt it down.....

Felicia M. Jimmink, Paralegal
Brayton & Purcell LLP
felicia@braytonlaw.com

>>> "mmacalpine" <mmacalpine@elslaw.com> 3/14/2006 1:11 PM >>>
Hi Felicia,

According to FedEx it was delivered this morning to your office at 9:29 A.M.
and was signed for by I. Whiggins. The tracking number is 6915 1114 1141.

Maya

----- Original Message -----

From: "Felicia Jimmink" <FJimmink@braytonlaw.com>
To: "mmacalpine" <mmacalpine@elslaw.com>
Sent: Tuesday, March 14, 2006 4:01 PM
Subject: Re: Harry Kananian - Urgent Request for Files

**** High Priority ****

Maya:

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Felicia M. Jimmink, Paralegal
Brayton & Purcell LLP
felicia@braytonlaw.com

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Subject: Re: Harry Kananian - Urgent Request for Files

7/31/2006

** High Priority **

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Brayton & Purcell LLP
felicia@braytonlaw.com

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> To: <kcurnane@elslaw.com>, <toberempt@elslaw.com>

> Sent: Monday, March 13, 2006 12:40 PM

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>>> ** High Priority **

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7/31/2006

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>>
>>Felicia M. Jimmink, Paralegal
>>Brayton <>Purcell LLP
>>felicia@braytonlaw.com
>>
>
>
>>

7/21/2006

mmacalpine


 "Ryan Poole" <RPoole@braytonlaw.com>
"mmacalpine" <mmacalpine@elslaw.com>
Cc: "Kjaersti Shields" <KShields@braytonlaw.com>
Sent: Thursday, March 16, 2006 3:14 PM
Subject: Kananian, Harry - AMATEX BK Claim

Did you file an AMATEX claim on behalf of Mr. Kananian? If so, can we get a copy of the claim form and any docs submitted with it. Thanks.

Ryan Poole (JRP)
Supervisor
Bankruptcy Department
Brayton Purcell, LLP
415) 899-1011 x406
poole@braytonlaw.com
www.braytonlaw.com

7/31/2006

mmacalpine

: "mmacalpine" <mmacalpine@elslaw.com>
"Ryan Poole" <RPoole@braytonlaw.com>
Cc: "Kjaersti Shields" <KShields@braytonlaw.com>
Sent: Thursday, March 16, 2006 3:20 PM
Attach: CLAIMS KANANIAN HARRY AM.PDF
Subject: Re: Kananian, Harry - AMATEX BK Claim

Attached is the Amatex claim form filed for Harry Kananian. We received 1,200.00 for this claim.

Maya

----- Original Message -----

From: "Ryan Poole" <RPoole@braytonlaw.com>
To: "mmacalpine" <mmacalpine@elslaw.com>
Cc: "Kjaersti Shields" <KShields@braytonlaw.com>
Sent: Thursday, March 16, 2006 2:14 PM
Subject: Kananian, Harry - AMATEX BK Claim

>Did you file an AMATEX claim on behalf of Mr. Kananian? If so, can we
>get a copy of the claim form and any docs submitted with it. Thanks.

>I, Ryan Poole (JRP)
>visor
>Bankruptcy Department
>Brayton Purcell, LLP
>(415) 899-1011 x406
>rpoodle@braytonlaw.com
>www.braytonlaw.com
>

mmacalpine

From: "Ryan Poole" <RPoole@braytonlaw.com>
To: "mmacalpine" <mmacalpine@elslaw.com>
Cc: "Kjaersti Shields" <KShields@braytonlaw.com>
Sent: Thursday, March 16, 2006 3:21 PM
Subject: Re: Kananian, Harry - AMATEX BK Claim

Can I get the backside of the claim form too? Sorry.

>>> "mmacalpine" <mmacalpine@elslaw.com> 3/16/2006 11:20 AM >>>
Attached is the Amatex claim form filed for Harry Kananian. We
received
\$1,200.00 for this claim.

Maya

----- Original Message -----

From: "Ryan Poole" <RPoole@braytonlaw.com>
To: "mmacalpine" <mmacalpine@elslaw.com>
Cc: "Kjaersti Shields" <KShields@braytonlaw.com>
Sent: Thursday, March 16, 2006 2:14 PM
Subject: Kananian, Harry - AMATEX BK Claim

> Did you file an AMATEX claim on behalf of Mr. Kananian? If so, can

> get a copy of the claim form and any docs submitted with it.

Thanks.

>

> J. Ryan Poole (JRP)

> Supervisor

> Bankruptcy Department

> Brayton Purcell, LLP


> (415) 899-1011 x406

> rpooles@braytonlaw.com

> www.braytonlaw.com

>

mmacalpine

: "mmacalpine" <mmacalpine@elslaw.com>
"Ryan Poole" <RPoole@braytonlaw.com>
Sent: Thursday, March 16, 2006 3:32 PM
Subject: Re: Kananian, Harry - AMATEX BK Claim

pparently that part didn't get scanned. I just faxed it over to your
tention.

--- Original Message -----

rom: "Ryan Poole" <RPoole@braytonlaw.com>
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c: "Kjaersti Shields" <KShields@braytonlaw.com>
nt: Thursday, March 16, 2006 2:21 PM
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>(415) 899-1011 x406
>rpoole@braytonlaw.com
>www.braytonlaw.com
>

7/16/2006

Page 2 of 2

From: McClose, Cynthia
Sent: Friday, March 17, 2006 10:12 AM
To: 'Lucarelli Jennifer (RightFax)'
Subject: Subpoena
Importance: High

Good morning,

We have been served with subpoenas for records for John Osborne. Please advise if you will file a motion to quash or raise any other objection to the CPF's compliance on behalf of EPI or UNR by close of business Monday, March 20, 2006.

Thank you,

Cynthia McClose
*Release Administrator
Claims Processing Facility, INC.
East-West Tech Center
1771 W. Diehl Road, Suite 220
Naperville, IL 60563
630-281-6533
630-281-6733 fax
E-mail: Cynthia.McClose@CPF-INC.com*

www.cpf-inc.com

7/26/2006

Nicole Salato

From: Nicole Salato [nsalato@elslaw.com]
Sent: Monday, March 20, 2006 11:23 AM
To: Ryan Poole
Cc: Hirsch, Amy
Subject: Harry Kananian

Dear Ryan:

I am not sure what the procedure is, but I got a phone call from the Celotex Trust this morning regarding the above named case. I know that your firm is handling the trial end of this so I am hoping you will help. The defense counsel has served a subpoena for Mr. Kananian's claim and wanted to know how we'd like to proceed. Please let me know at your earliest convenience. Thanks!


Nicole L. Salato
Early, Ludwick & Sweeney, LLC
265 Church Street
PO Box 1866
New Haven, CT 06508-1866
(203) 777-7799
(203) 785-1785 (f)

www.cpf-inc.com



2007/04/27

mmacalpine

 "mmacalpine" <mmacalpine@elslaw.com>
"Nicole Salato" <nsalato@elslaw.com>
Cc: "alankford" <alankford@elslaw.com>
Sent: Monday, March 20, 2006 12:36 PM
Subject: Re: Subpoena

Iey Nicole,

know I recently sent Brayton's office the Kananian file, and bankruptcy claims had been sent to them previously. Since the referring firms are the one filing the lawsuits, I assume they would be the ones to fight the subpoena if necessary. I think anyway. There isn't really a process I guess, but maybe Alethea and I should just alert the referring firms that the bankruptcy trust was served with a subpoena and see where they would like us to go from there.

Maya

----- Original Message -----

From: Nicole Salato
To: Alethea Lankford ; Maya MacAlpine
Sent: Monday, March 20, 2006 11:26 AM
Subject: Fw: Subpoena

Do either one of you know the procedure for this? I just received another one which I forwarded to Brayton. Do you have a contact at Levy, Phillips and Konigsberg that you can forward this to?

Thanks!

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From: McClose, Cynthia
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Cc: Brian Kenney
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Thank you,

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Office Administrator
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East-West Tech Center
1771 W. Diehl Road, Suite 220
Naperville, IL 60563
630-281-6533
630-281-6733 fax
E-mail: Cynthia.McClose@CPF-INC.com

3/20/2006

mmacalpine

From: "Nicole Salato" <nsalato@elslaw.com>
To: "mmacalpine" <mmacalpine@elslaw.com>
Cc: "Alethea Lankford" <alankford@elslaw.com>
Sent: Monday, March 20, 2006 12:40 PM
Subject: Re: Subpoena

just wrote to Ryan Poole on the Kananian file because CTX called me this am. Apparently the defense keeps bothering Celotex and they need an answer today so hopefully Ryan will give me a heads up. That is what I thought too! I think from here on out, I will file all internet claims with the ref attorney's info as well as ours so they can get the same notices we do.

----- Original Message -----

From: mmacalpine
To: Nicole Salato
Cc: alankford
Sent: Monday, March 20, 2006 11:36 AM
Subject: Re: Subpoena

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630-281-6733 fax
E-mail: Cynthia.McClosse@CPF-INC.com

www.cpf-inc.com

70610006

mmacalpine

 "mmacalpine" <mmacalpine@elslaw.com>
"Nicole Salato" <nsalato@elslaw.com>
Sent: Monday, March 20, 2006 12:54 PM
Subject: Re: Subpoena

hat makes sense. Just let us know if we need to do anything.

Maya

----- Original Message -----

From: Nicole Salato
To: mmacalpine
Cc: Alethea Lankford
Sent: Monday, March 20, 2006 11:40 AM
Subject: Re: Subpoena

I just wrote to Ryan Poole on the Kananian file because CTX called me this am. Apparently the defense keeps bothering Celotex and they need an answer today so hopefully Ryan will give me a heads up. That is what I thought too! I think from here on out, I will file all internet claims with the ref attorney's info as well as ours so they can get the same notices we do.

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To: Nicole Salato
Cc: Brian Kenney
Sent: Friday, March 17, 2006 12:38 PM
Subject: FW: Subpoena

Nicole Salato

From: Hirsch, Amy [AHirsch@CelotexTrust.com]
Sent: Monday, March 20, 2006 2:01 PM
To: Nicole Salato
Subject: RE: Harry Kananian

Nicole,

Any word yet?

Thanks,
Amy

From: Nicole Salato [mailto:nsalato@elslaw.com]
Sent: Monday, March 20, 2006 11:23 AM
To: Ryan Poole
Cc: Hirsch, Amy
Subject: Harry Kananian

Dear Ryan:

I am not sure what the procedure is, but I got a phone call from the Celotex Trust this morning regarding the above named case. I know that your firm is handling the trial end of this so I am hoping you will help. The defense counsel has served a subpoena for Mr. Kananian's claim and wanted to know how we'd like to proceed. Please let me know at your earliest convenience-Thanks!

Nicole L. Salato
Early, Ludwick & Sweeney, LLC
265 Church Street
PO Box 1866
New Haven, CT 06508-1866
(203) 777-7799
(203) 785-1785 (f)

Page 20

(203) 777-7799
(203) 785-1785 (f)

Nicole Salato

From: Hirsch, Amy [AHirsch@CelotexTrust.com]
Sent: Tuesday, March 21, 2006 7:11 AM
To: Nicole Salato
Subject: RE: Harry Kananian

Nicole,

If you would let me know as soon as possible, I would appreciate it. Defense counsel in the case is calling, calling.

Thank you!

Amy Hirsch

From: Nicole Salato [mailto:nsalato@elslaw.com]
Sent: Mon 3/20/2006 8:43 PM
To: Hirsch, Amy
Subject: Re: Harry Kananian

No not yet. If we don't hear by tomorrow-I guess we don't have a choice.

----- Original Message -----

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To: Nicole Salato
Sent: Monday, March 20, 2006 2:01 PM
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Thanks,
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Nicole L. Salato
Early, Ludwick & Sweeney, LLC
265 Church Street
PO Box 1866
New Haven, CT 06508-1866

Nicole Salato

From: Nicole Salato [nsalato@elslaw.com]
Sent: Tuesday, March 21, 2006 9:09 AM
To: Maya MacAlpine
Subject: Fw: Harry Kananian

Maya-I know you said you forwarded some stuff to co counsel-Celotex is getting bombarded with calls-what do I do?

----- Original Message -----

From: Hirsch, Amy
To: Nicole Salato
Sent: Tuesday, March 21, 2006 7:11 AM
Subject: RE: Harry Kananian

Nicole,

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Page 2 of 2

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(203) 777-7799
(203) 785-1785 (f)

Nicole Salato

From: mmacalpine [mmacalpine@etslaw.com]
Sent: Tuesday, March 21, 2006 9:47 AM
To: Felicia Jimmink
Cc: Ryan Poole; Nicole Salato
Subject: Re: Harry Kananian

Hi Felicia,

The Celotex trust is being bombarded with phone calls regarding Mr. Kananian's bankruptcy claim. The defense counsel has served a subpoena for his claim. They have not yet complied with the subpoena and have called us to see how best to proceed. How would you like the trust to handle the subpoena? Would you like them to comply or does the attorney plan on raising any objection? Please let us know ASAP as trust has been receiving numerous calls the last couple of days and will have to comply they don't get an answer soon. Thank you.

-Maya